

## Frequently Asked Questions

The Admissions Committee of the Law Society has provided the following information to assist supervising solicitors and practice trainees in addressing issues frequently arising from applications for admission as advocates and solicitors.

1. *If I am getting called more than one year after the filing of my application, and more than one year has passed since the last step taken in my application, is my application automatically discontinued pursuant to Order 21 rule 2(6) of the Rules of Court?*

Yes, your application would be automatically discontinued under Order 21 rule 2(6) of the Rules of Court and you would need to file an application to court for leave to reinstate your application.

The Admissions Committee notes that some applicants have filed their summonses and supporting affidavits for reinstatement of their applications for call to the Bar very close to their call dates.

As these reinstatement applications are usually heard separately from the actual call, the Admissions Committee requests law practices and applicants to file these applications one or two months before the call date, to allow sufficient time for these applications to be processed.

2. *I have filed an Originating Summons accompanied by a Notice to commence my application for admission. When do I need to serve the papers on the Attorney-General, the Board of Legal Education and the Law Society?*

Section 19(1) of the Legal Profession Act (“the Act”) provides that “[a] copy of every application and affidavit required to be filed under section 17 or 18 together with true copies of each document exhibited thereto shall, **within 5 days of the document being filed in the Registrar’s office**, be served on the Attorney-General, the Board and the Society.” [emphasis added]

As this is a statutory requirement, the Law Society is not in a position to waive the 5-day statutory notice period for the service of the documents under section 19(1) of the Act. An application by way of Summons will have to be made to Court to regularise any non-compliance with section 19(1). As and when the application is made, the Law Society generally in principle would have no objections to such an application.

3. *I am required to file an affidavit in support of my application for admission not less than 12 days before my application is to be heard. What are the common errors in an affidavit in support of an application for admission?*

These are some of the common errors in an affidavit in support of an application for admission:

### Affidavit

- The declaration given by the applicant at paragraph 7 of the Affidavit must not be qualified. Paragraph 7 requires the applicant to declare that he or she has never been adjudged a bankrupt in Singapore or elsewhere etc.. For example, the applicant would have qualified his or her declaration if he or she omits to strike out the words “except the following” in the declaration.

### Certificates of Good Character

- The applicant’s two character referees must not be immediately related to the applicant: Rule 13(1)(a) Legal Profession Rules.
- The applicant’s two character referees must have known the applicant for 2 years or more and have had opportunities of judging the applicant’s character: Rule 13(1)(b) Legal Profession Rules.
- Both character referees must not be non-residents of Singapore. At least one of the two character referees must be a Singapore resident: Rule 13(2) Legal Profession Rules.
- Both character referees must sign the Certificates.

The Admissions Committee may require the applicant to file a supplementary Affidavit to rectify any errors and provide the correct information (and exhibits if necessary).

4. *I have filed an affidavit in support of my application for admission. When do I need to serve the papers on the Attorney-General, the Board of Legal Education and the Law Society?*

As per the answer to Question 2 above, you are required under section 19(1) of the Act to serve the papers on the Attorney-General, Board of Legal Education and the Law Society within 5 days of the affidavit being filed in the Registrar’s office.

When serving your Affidavit on the Law Society, your Affidavit should enclose:

- (a) the Certificate(s) of Diligence and the Certificates of Good Character or certified true copies of these documents. Copies of certified true copies are not acceptable; and
- (b) the Certificate issued by the Board of Legal Education under section 17(4)(a) and (e) of the Legal Profession Act, which must not be a copy.

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